

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: )  
Paul S. Kowalik ) Case No. 22-22117 – CMB  
& Maryann Kowalik )  
Debtor(s). ) Chapter 13  
\_\_\_\_\_ )  
X

**ORDER OF COURT**  
(Check Boxes That Apply)

☒ Confirming Plan on Final Basis ☒ Chapter 13 Plan dated:  
10/26/22  
☐ Authorizing Distributions Under Plan ☐ Amended Chapter 13 dated:  
On Interim Basis Solely as Adequate \_\_\_\_\_  
Protection

IT IS HEREBY ORDERED that the Chapter 13 Plan Payment is \$2,015.00 effective 11/1/22.

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

**1. Unique Provisions Applicable Only to This Case: *Only those provisions which are checked below apply to this case:***

- ☒ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$2,104.00, beginning 12/22. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee’s TFS online payment program.

- ☐ B. The length of the Plan is changed to a total of at least \_\_\_\_ months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.
- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. *Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.* The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

**PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.**

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor \_\_\_\_\_ shall be paid monthly payments of \$\_\_\_\_\_ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:  

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- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:  

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- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:
- 
- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:
- 
- ☒ K. Additional Terms and Conditions:
- w/o Cavalry SPV CL#4 assuming avoidance successful

**2. Deadlines. The following deadlines are hereby established and apply to this case:**

**A. Applications to retain brokers, sales agents, or other professionals.** If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

**B. Review of Claims Docket and Objections to Claims.** Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

**C. Motions or Complaints Pursuant to §§506, 507 or 522.** All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

**D. Filing Amended Plans or Other Stipulation.** Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

**3. Additional Provisions. The following additional provisions apply in this case:**

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.L.B.R. 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: December 6, 2022

  
United States Bankruptcy Judge dmr

cc: All Parties in Interest to be served by Clerk

FILED  
12/6/22 11:37 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

In re:  
Paul S. Kowalik  
Maryann Kowalik  
Debtors

Case No. 22-22117-CMB  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Dec 06, 2022

User: auto  
Form ID: pdf900

Page 1 of 4  
Total Noticed: 57

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. § 342(f)/Fed. R. Bank. P. 2002(g)(4).

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 08, 2022:

Recip ID	Recipient Name and Address
db/jdb	Paul S. Kowalik, Maryann Kowalik, 346 Sawmill Run Road, Butler, PA 16001-8611
15528861	Apothaker Scian P.C., 520 Fellowship Road, Suite C306, PO Box 5496, Mount Laurel, NJ 08054-5496
15528865	+ Butler Memorial Hospital, One Hospital Way, Butler, PA 16001-4697
15528881	+ GCI/Network Direct Inc., Attn: Bankruptcy, 5360 College Blvd, Suite 200, Overland Park, KS 66211-1641
15528880	+ GCI/Network Direct Inc., 5320 College Blvd, Shawnee Mission, KS 66211-1621
15528883	Mayo Clinic, PO Box 790339, Saint Louis, MO 63179-0339
15528890	++ NEXTIER BANK, SPECIAL ASSETS, 245 PITTSBURGH RD, BUTLER PA 16001-3883 address filed with court:, Nextier Bank Na, Pob 250, Evans City, PA 16033
15528889	+ Nextier Bank, 100 Moraine Point Plaza, Butler, PA 16001-2410
15528913	TD Bank, N.A., Td Bank Usbc, Greenville, SC 29607
15528910	Target Card Services, 3901 West 33rd Street, Sioux Falls, SD 57106
15528916	Walgreens, PO Box 650975, Dallas, TX 75265-0975

TOTAL: 11

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: rmscedi@recoverycorp.com	Dec 06 2022 23:57:07	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15528864	Email/Text: creditcardbkcorrespondence@bofa.com	Dec 06 2022 23:52:00	Bank of America, PO Box 15019, Wilmington, DE 19886-5019
15528862	+ Email/Text: creditcardbkcorrespondence@bofa.com	Dec 06 2022 23:52:00	Bank of America, Po Box 982238, El Paso, TX 79998-2238
15528863	+ Email/Text: creditcardbkcorrespondence@bofa.com	Dec 06 2022 23:52:00	Bank of America, Attn: Bankruptcy, 4909 Savarese Circle, Tampa, FL 33634-2413
15544412	Email/Text: creditcardbkcorrespondence@bofa.com	Dec 06 2022 23:52:00	Bank of America, N.A., PO Box 673033, Dallas, TX 75267-3033
15528877	Email/Text: customercareus@creditcorpsolutionsinc.com	Dec 06 2022 23:52:00	Credit Corp Solutions, 121 W. Election road, Suite 200, Draper, UT 84020
15528866	+ Email/Text: bankruptcy@cavps.com	Dec 06 2022 23:53:00	Cavalry Portfolio Services, 1 American Lane, Greenwich, CT 06831-2560
15528867	+ Email/Text: bankruptcy@cavps.com	Dec 06 2022 23:53:00	Cavalry Portfolio Services, Attn: Bankruptcy, 500 Summit Lake Drive, Suite 400, Vahalla, NY 10595-2321
15545225	+ Email/Text: bankruptcy@cavps.com	Dec 06 2022 23:53:00	Cavalry SPV I, LLC, PO Box 4252, Greenwich, CT 06831-0405
15528871	Email/PDF: Citi.BNC.Correspondence@citi.com	Dec 06 2022 23:57:00	Citibank, PO Box 6004, Sioux Falls, SD 57117-6004
15528870	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Dec 06 2022 23:57:07	Citibank, Po Box 6217, Sioux Falls, SD

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			57117-6217
15528872	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Dec 06 2022 23:57:07	Citibank, Attn: Bankruptcy, P.O. Box 790034, St Louis, MO 63179-0034
15528873	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Dec 06 2022 23:57:07	Citibank N.A., 701 E. 60th Street N., Sioux Falls, SD 57104-0432
15528874	+ Email/Text: bankruptcy@clearviewfcu.org	Dec 06 2022 23:52:00	Clearview FCU, 8805 University Blvd, Moon Township, PA 15108-4212
15528875	+ Email/Text: bnc@bass-associates.com	Dec 06 2022 23:53:00	Collins Asset Group, LLC, Po Box 91059, Austin, TX 78709-1059
15528876	+ Email/Text: bnc@bass-associates.com	Dec 06 2022 23:53:00	Collins Asset Group, Llc, 5725 Highway 290 West, Suite 103, Po Box 91059, Austin, TX 78709-1059
15528878	+ Email/Text: bankruptcyntices@finwisebank.com	Dec 06 2022 23:52:00	Finwise Bank, 756 East Winchester, Suite 100, Salt Lake City, UT 84107-7520
15528879	+ Email/Text: crdept@na.firstsource.com	Dec 06 2022 23:53:00	Firstsource Advantage LLC, 205 Bryant Woods South, Amherst, NY 14228-3609
15528882	Email/Text: sbse.cio.bnc.mail@irs.gov	Dec 06 2022 23:52:00	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
15528869	Email/PDF: ais.chase.ebn@aisinfo.com	Dec 06 2022 23:57:02	Chase Card Services, Attn: Bankruptcy, P.O. 15298, Wilmington, DE 19850
15528868	Email/PDF: ais.chase.ebn@aisinfo.com	Dec 06 2022 23:57:02	Chase Card Services, Po Box 15369, Wilmington, DE 19850
15547166	+ Email/Text: JPMCBKntices@nationalbankruptcy.com	Dec 06 2022 23:52:00	JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013
15551351	Email/PDF: resurgentbknofications@resurgent.com	Dec 06 2022 23:57:00	LVNV Funding, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
15528887	Email/Text: compliance@monarchrm.com	Dec 06 2022 23:52:00	Monarch Recovery Management Inc., 3260 Tillman Drive, Suite 75, Bensalem, PA 19020
15528884	Email/Text: bkntices@mbandw.com	Dec 06 2022 23:53:00	McCarthy Burgess & Wolff, The MB & W Building, 2600 Cannon Road, Bedford, OH 44146
15548632	+ Email/Text: bankruptcydpt@mcmcg.com	Dec 06 2022 23:52:00	Midland Credit Management, Inc., PO Box 2037, Warren, MI 48090-2037
15528885	+ Email/Text: bankruptcydpt@mcmcg.com	Dec 06 2022 23:52:00	Midland Fund, 320 East Big Beaver, Troy, MI 48083-1238
15528886	+ Email/Text: bankruptcydpt@mcmcg.com	Dec 06 2022 23:52:00	Midland Fund, Attn: Bankruptcy, 350 Camino De La Reine, Suite 100, San Diego, CA 92108-3007
15528888	Email/Text: bankruptcydepartment@tsico.com	Dec 06 2022 23:53:00	Nationwide Credit Inc., Po Box 15130, Wilmington, DE 19850-5130
15528891	Email/Text: bankruptcies@penncredit.com	Dec 06 2022 23:52:00	Penn Credit, 2800 Commerce Drive, Harrisburg, PA 17110
15528896	Email/Text: bankruptcies@penncredit.com	Dec 06 2022 23:52:00	Penn Credit, Attn: Bankruptcy, Po Box 988, Harrisburg, PA 17108
15528902	+ Email/Text: bankruptcyteam@quickenloans.com	Dec 06 2022 23:53:00	Quicken Loans, Attn: Bankruptcy, 1050 Woodward Avenue, Detroit, MI 48226-3573
15528901	+ Email/Text: bankruptcyteam@quickenloans.com	Dec 06 2022 23:53:00	Quicken Loans, 1050 Woodward Ave, Detroit, MI 48226-3573
15528903	+ Email/Text: ngisupport@radiusgs.com	Dec 06 2022 23:52:00	Radius Global Solutions, 7831 Glenroy Road, Suite 250-A, Minneapolis, MN 55439-3132
15552167	+ Email/Text: bankruptcyteam@quickenloans.com	Dec 06 2022 23:53:00	Rocket Mortgage, LLC fka Quicken Loans, at. el, 635 Woodward Avenue, Detroit MI 48226-3408

District/off: 0315-2

User: auto

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15528988	+ Email/PDF: gecsed@recoverycorp.com	Dec 06 2022 23:56:59	Synchrony Bank, c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
15528905	+ Email/PDF: gecsed@recoverycorp.com	Dec 06 2022 23:56:59	Synchrony Bank/Sams Club, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15528904	+ Email/PDF: gecsed@recoverycorp.com	Dec 06 2022 23:56:59	Synchrony Bank/Sams Club, Po Box 965005, Orlando, FL 32896-5005
15528906	+ Email/PDF: gecsed@recoverycorp.com	Dec 06 2022 23:56:59	Synchrony Bank/TJX, Po Box 965015, Orlando, FL 32896-5015
15528907	+ Email/PDF: gecsed@recoverycorp.com	Dec 06 2022 23:57:03	Synchrony Bank/TJX, Attn: Bankruptcy Dept, Po Box 965064, Orlando, FL 32896-5064
15528908	+ Email/PDF: gecsed@recoverycorp.com	Dec 06 2022 23:57:00	Synchrony/PayPal Credit, Po Box 965005, Orlando, FL 32896-5005
15528909	+ Email/PDF: gecsed@recoverycorp.com	Dec 06 2022 23:57:00	Synchrony/PayPal Credit, Attn: Bankruptcy, Po Box 965060, Orlando, FL 32896-5060
15528914	Email/Text: bankruptcy@td.com	Dec 06 2022 23:52:00	TD Bank, N.A., Attn: Bankruptcy, 32 Chestnut Street Po Box 1377, Lewiston, ME 04243
15528912	+ Email/Text: bncmail@w-legal.com	Dec 06 2022 23:52:00	Target Nb, C/O Financial & Retail Services, Mailstop BT PO Box 9475, Minneapolis, MN 55440-9475
15528911	+ Email/Text: bncmail@w-legal.com	Dec 06 2022 23:52:00	Target Nb, Po Box 673, Minneapolis, MN 55440-0673
15529479	+ Email/Text: bankruptcy@huntington.com	Dec 06 2022 23:52:00	The Huntington National Bank, PO Box 89424, Cleveland, OH 44101-6424

TOTAL: 46

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		Rocket Mortgage, LLC f/k/a Quicken Loans, LLC f/k/
15528915		Tsarouhis Law Group, 21 S. 9th Street, Allentown
15528892	*P++	PENN CREDIT CORPORATION, PO BOX 69703, HARRISBURG PA 17106-9703, address filed with court., Penn Credit, 2800 Commerce Drive, Harrisburg, PA 17110
15528893	*P++	PENN CREDIT CORPORATION, PO BOX 69703, HARRISBURG PA 17106-9703, address filed with court., Penn Credit, 2800 Commerce Drive, Harrisburg, PA 17110
15528894	*P++	PENN CREDIT CORPORATION, PO BOX 69703, HARRISBURG PA 17106-9703, address filed with court., Penn Credit, 2800 Commerce Drive, Harrisburg, PA 17110
15528895	*P++	PENN CREDIT CORPORATION, PO BOX 69703, HARRISBURG PA 17106-9703, address filed with court., Penn Credit, 2800 Commerce Drive, Harrisburg, PA 17110
15528897	*P++	PENN CREDIT CORPORATION, PO BOX 69703, HARRISBURG PA 17106-9703, address filed with court., Penn Credit, Attn: Bankruptcy, Po Box 988, Harrisburg, PA 17108
15528898	*P++	PENN CREDIT CORPORATION, PO BOX 69703, HARRISBURG PA 17106-9703, address filed with court., Penn Credit, Attn: Bankruptcy, Po Box 988, Harrisburg, PA 17108
15528899	*P++	PENN CREDIT CORPORATION, PO BOX 69703, HARRISBURG PA 17106-9703, address filed with court., Penn Credit, Attn: Bankruptcy, Po Box 988, Harrisburg, PA 17108
15528900	*P++	PENN CREDIT CORPORATION, PO BOX 69703, HARRISBURG PA 17106-9703, address filed with court., Penn Credit, Attn: Bankruptcy, Po Box 988, Harrisburg, PA 17108

TOTAL: 2 Undeliverable, 8 Duplicate, 0 Out of date forwarding address

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

District/off: 0315-2

User: auto

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**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Dec 08, 2022

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 6, 2022 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor Rocket Mortgage LLC f/k/a Quicken Loans, LLC f/k/a Quicken Loans Inc. bnicholas@kmlawgroup.com
Kenneth Steidl	on behalf of Debtor Paul S. Kowalik julie.steidl@steidl-steinberg.com ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;jseech@steidl-steinberg.com
Kenneth Steidl	on behalf of Joint Debtor Maryann Kowalik julie.steidl@steidl-steinberg.com ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com;jseech@steidl-steinberg.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com

TOTAL: 5